

*Application No. 09/713,966*

#### REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Office Action dated March 16, 2005. No claims have been canceled or amended. Claims 43-47 are new. Accordingly, Claims 1, 3-26 and 39-47 are now pending. As set out more fully below, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

The Office Action finds that the pending claims are anticipated by co-pending Application No. 10/450,011. Applicants note that an application should be allowed to issue as a patent when the only rejection remaining in the application is a provisional double-patenting rejection. Accordingly, even if the assertion that all of the claims in co-pending Application No. 10/450,011 contains every element of the pending claims is accurate, which Applicants dispute, the provisional double-patenting rejection would not bar issuance of the present application. Accordingly, no action with respect to the provisional double-patenting rejection is believed required in order to place this application in condition for allowance.

Claims 1, 2-26 and 39-42 stand rejected under 35 USC § 103 as being unpatentable over U.S. Pat. No. 6,477,531 to Sullivan et al. ("Sullivan") in view of U.S. Pat. No. 6,101,510 to Stone et al. ("Stone"). In order to establish a prima facie case of obviousness under § 103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all of the claim limitations. (MPEP § 2143.) Because each and every element of the invention as set forth in the pending claims cannot be found in the cited references, whether those references are considered alone or in combination, the rejections under 35 USC § 103 should be reconsidered and withdrawn.

The Sullivan reference is generally directed to technical support chain automation. In particular, Sullivan discusses a technical support interface running on a client machine. (Sullivan col. 2, lines 48-55.) The client generally includes a browser having native

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support for application plug-ins. (Sullivan col. 5, lines 25-30.) Furthermore, Sullivan discusses a client browser that includes a Java Virtual Machine to provide a convenient runtime environment for programs, including program instructions or code for implementing the self-help functionality of that system. (Sullivan col. 5, lines 32-40.) Communications between the client and server are coordinated by a session manager. (Sullivan col. 7, lines 12-15.) Communications between the client and server do not require a persistent TCP connection, and instead "a single logical session may span multiple TCP connections." The user interacts with the server through the default browser, and active content provided by the server to the client is run from the client browser. (Sullivan col. 9, lines 45-46; col. 10, lines 48-50; col. 11, lines 16 through 18.) Accordingly, Sullivan does not teach, suggest or describe a system having a client that features a communication interface and a separate client application in which a first logical line of communication is established between a server and the communication interface running on the client machine and in which a second logical line of communication is established between the server and the client application running on the client machine. In addition, Sullivan does not discuss passing an identifier from a browser window to a client application.

The Office Action agrees that the Sullivan reference does not teach placing an identifier in a title bar of a browser window and passing that identifier to a client application. For such disclosure, the Office Action cites to the Stone reference. In general, Stone is directed to web browser control for incorporating web browser functionality into application programs. In particular, Stone discusses a software object that exposes web browser functionality to application programs through an application programming interface that enables the code of an application to interact with a web browser. (Stone col. 3, lines 1-6.) More particularly, the software object encapsulates the functions of the web browser and exposes its functionality through a programming interface. (Stone col. 6, lines 1-4.) Accordingly, Stone discusses providing a software object to permit information to be exchanged between an application and a browser.

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However, Stone does not teach, suggest or describe passing information as set forth in the claims. In particular, Stone does not teach, suggest or describe copying information from a title bar of a window and passing it to an application. Accordingly, Stone does not provide any of those elements of the claims that are not present in the Sullivan reference.

The present invention is generally directed to remotely diagnosing computer hardware and software. More particularly, a communications interface or browser and a separate client application are provided on a client computer. This arrangement permits the use of a relatively light-weight client application, for example for executing diagnostic scrips on the client machine. Furthermore, a conventional browser can be used to exchange information between the user of the client computer and the server. The client application is not a plug-in to the browser. Instead, it is a separate application. As a result, communications between the server and the browser occur over a first communication channel, while communications between the application and the server occur over a second communication channel.

Claim 1 generally recites a method for remotely diagnosing a computer. Claim 1 includes "establishing a first communication channel between a channel and a communications interface associated with the client computer". In addition, Claim 1 recites "establishing a second communication channel between a client application operating on said client computer and said server." Claim 1 also recites "downloading an identifier from said server to said browser over said first communication channel; placing said identifier in a title bar of a browser window; [and] passing said identifier from said browser window to said client application." Claim 1 additionally recites "in response to a signal associated with said communications interface and received by said server, downloading a first diagnostic tool from said server to said client application [and]; executing said first diagnostic tool using said client application."

The cited references do not teach, suggest or describe each and every element of Claim 1. In particular, the Sullivan reference does not teach, suggest or describe a client with a browser and a separate client application that are each in communication with a

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server over separate communication channels. Instead, Sullivan discusses exchanging information between the browser running on the client machine and the server, including diagnostic maps that are run from the client browser. Furthermore, the portion of Sullivan cited in the Office Action as being related to downloading a first diagnostic tool to a client application describes providing that tool as a Java application or applet for which a run time environment is provided by the client browser. (Sullivan col. 5, lines 32-40.) In addition, the Stone reference does not teach, suggest or describe downloading an identifier, placing an identifier in a title bar of a browser window, or passing an identifier from the browser window to the client application. Instead, Stone generally discusses providing a software object to enable actions and information to be exchanged between a browser and an application. Furthermore, although an example of state information that can be exchanged discussed by Stone includes the title of the current web page, such disclosure is not the same as the claimed "downloading an identifier... over said first communication channel;" placing said identifier in a title bar of a browser window; [and] passing said identifier from said browser window to said client application, wherein said client application copies said identifier from said browser window." For example, Stone does not describe copying an identifier from a browser window. Accordingly, for at least these reasons, Stone does not teach, suggest or describe elements of claim 1 missing from the Sullivan reference. Therefore, for all of these reasons, the rejections of Claim 1 and dependent Claims 3-13 and 41 as obvious should be reconsidered and withdrawn.

Claim 14 is generally directed to a system for remotely diagnosing computer hardware and software. Claim 14 includes a recitation of "a communications interface comprising a browser in communication with said server over a first logical line of communication." Claim 14 also recites "a client application program, wherein said client application program communicates with said server over a second logical line of communication." Claim 14 further recites "wherein said client application program is in communication with said communications interface over a third logical line of

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communication, wherein only an identifier passed from said communications interface to said client applications program is communicated by said third logical line of communication." In addition, Claim 14 recites that the "client application performs a number of functions, including: executing at least one of said plurality of client diagnostic tools."

As discussed above, the Sullivan reference does not teach, suggest or describe different logical lines of communication between different entities (i.e. a browser and a client application) on a client device. Instead, Sullivan discusses a single logical session between a browser and a server. As also discussed above, the Stone reference does not make up the deficiencies of Sullivan. Accordingly, for at least these reasons, Claim 14 and dependent Claims 15-19 are not obvious over Sullivan in view of Stone, and the rejections of these claims should be reconsidered and withdrawn.

Claim 20 is generally directed to a method for providing a user of a computer with a diagnosis of the computer from a remote location. Claim 20 includes "establishing a communications channel between a communications interface associated with said computer and a server located at said remote location." As amended, Claim 20 also recites "passing an identifier to said communications interface as a browser window title." In addition, Claim 20 recites "in response to said server receiving a first signal from said communications interface, downloading a client application to said computer." Claim 20 also recites "installing said client application" and "passing said identifier from said browser window title to said client application."

The Sullivan reference does not teach, suggest or describe downloading and installing a client application, and passing an identifier from a browser window title to the client application. Such elements are also not taught, suggested or described by Stone. Accordingly, for at least these reasons, Claim 20 and dependent Claims 21-26 are not obvious over the cited references, and the rejections of these claims should be reconsidered and withdrawn.

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Claim 39 is directed to a method for remotely diagnosing a computer. Claim 39 includes "establishing communication between a server and a communications interface associated with a client computer, wherein said communications interface includes a browser." In addition, Claim 39 recites "establishing communication between a client application operating on said client computer and said server." Claim 39 additionally recites "downloading an identifier from said server to said browser; placing said identifier in a title bar of a browser window; and passing said identifier to said client application, wherein said client application copies said identifier from said browser window." The Sullivan reference does not teach, suggest or describe all of the elements of Claim 39, such as downloading an identifier, placing the identifier in a title bar of a browser window, and passing the identifier to a client application. In addition, the Stone reference does not teach, suggest or describe all of the elements of Claim 39. For example, the Stone reference does not disclose a client application that copies an identifier from a browser window. Instead, Stone discusses a software object to enable exchanges of information between a browser and an application. Accordingly, for at least these reasons, Claim 39 is not obvious over the cited references, and rejection of Claim 39 should be reconsidered and withdrawn.

Claim 40 is generally directed to a method for providing a user of a computer with a diagnosis of said computer from a remote location. Claim 40 recites "establishing a communications channel between a communications interface associated with said computer and a server located at said remote location." In addition, Claim 40 recites "installing said client application on said computer" and "downloading a first diagnostic tool to said computer." Claim 40 additionally recites "assigning an identifier to said computer; downloading said identifier from said server to said communications interface; placing said identifier in a title bar of a window on said computer; and copying said identifier from said title bar to said client application."

The Sullivan reference does not teach, suggest or describe downloading and installing a client application on a computer, or executing a first diagnostic tool using the

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client application. Furthermore, Sullivan does not teach, suggest or describe assigning an identifier to a computer, downloading the identifier to a communications interface, placing the identifier in a title bar of a window on the computer, and copying the identifier from the title bar to the client application. In addition, such elements are not taught, suggested or disclosed by the Stone reference. Accordingly, for at least these reasons, the rejection of Claim 40 as obvious should be reconsidered and withdrawn.

New Claims 43-46 are dependent claims that generally recite downloading a page for display in a browser window, wherein an identifier is not downloaded as part of the page. The cited references do not teach, suggest or disclose such elements. Accordingly, Claims 43-46 should be allowed for at least this additional reason.

New Claim 47 is an independent claim that is generally directed to a method for remotely diagnosing a computer. Claim 47 generally recites establishing a first communication channel between a server and a browser, and a second communication channel between a client application operating on the client computer and the server, in which the first and second communication channels are logically separate from one another. This claim should be allowed for at least the reason that the cited references do not teach, suggest or describe the establishment of a first communication channel between a browser and server, and a second communication channel between a client application that is separate from the browser and the server, as set forth in Claim 47.

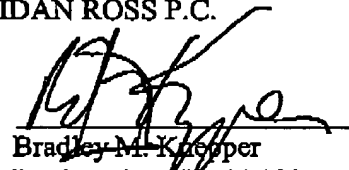
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The application, now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the prosecution of this application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

  
Bradley M. Knepper  
Registration No. 44,189  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

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TODD P. BLAKELY  
GARY J. CONNELL  
SABRINA C. STAVISH  
JOSEPH E. KOVARIK  
SUSAN PRYOR WILLSON  
LEWIS D. HANSEN  
ROBERT R. BRUNELLI  
DOUGLAS W. SWARTZ  
BRUCE A. KUGLER  
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MARK L. YASKANIN  
MARY BREEN SMITH  
CRAIG W. MUELLER  
PAUL S. CHA  
MARK W. SCOTT\*  
\*IL Bar Only

**SHERIDAN ROSS**  
*A Professional Corporation*  
ATTORNEYS AND COUNSELORS AT LAW

1560 BROADWAY  
SUITE 1200  
DENVER, COLORADO 80202-5141

TELEPHONE (303) 863-9700  
FACSIMILE (303) 863-0223  
E-MAIL [rlaw@sheridanross.com](mailto:rlaw@sheridanross.com)

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KERMITH F. ROSS  
1910-1986

OF COUNSEL  
PHILIP H. SHERIDAN  
DAVID F. ZINGER  
CRAIG C. GROSETH  
SCOTT R. BIALECKI

TECHNICAL SPECIALISTS  
DENNIS J. DUPRAY, Ph.D.  
ANGELA DALLAS SEBOR, Ph.D.  
MATTHEW R. ELLSWORTH

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